

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

KHALIF MOHAMED DUALE,

CIVIL No.05-2998 (JRT/AJB)

PETITIONER,

v.

ORDER

SCOTT BANIECKE, FIELD DIRECTOR
DETENTION AND REMOVAL, FOR
BUREAU OF IMMIGRATION AND
CUSTOMS ENFORCEMENT,

RESPONDENT.

Katherine Menendez, Assistant Federal Public Defender, **OFFICE OF THE FEDERAL
PUBLIC DEFENDER**, 300 South Fourth Street, Suite 107, Minneapolis, Minnesota
55415, for petitioner

Robyn A. Millenacker, Assistant United States Attorney, **OFFICE OF THE UNITED
STATES ATTORNEY**, 300 South Fourth Street, Suite 600, Minneapolis, Minnesota
55415, for respondent.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Arthur J. Boylan dated April 26, 2006. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all of the files, records, and proceedings herein,

IT IS HEREBY ORDERED that Petition for writ of habeas corpus [Docket No. 1] is **DENIED AS MOOT**. IT IS FURTHER ORDERED dismissing this case with prejudice.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: May 12, 2006
at Minneapolis, Minnesota

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge